

REMARKS

In the outstanding Final Office Action, claims 1-4 and, as best understood, claims 6-7, were rejected under 35 U.S.C. §103(a) over HIGUCHI et al. (U.S. Patent Application Publication No. 2001/0022612) in view of NAKASHIMA et al. (U.S. Patent Application Publication No. 2001/0015754), and further in view of TAKAHASHI et al. (U.S. Patent Application Publication No. 2003/0004398) in view of MATSURA et al. (U.S. Patent No. 4,979,497). Claims 8-9 were rejected under 35 U.S.C. §103(a) over HIGUCHI in view of NAKASHIMA, and in view of TAKAHASHI et al. (U.S. Patent Application Publication No. 2003/0004398) in view of MATSURA et al. (U.S. Patent No. 4,974,497), and further in view of WADA (U.S. Patent No. 7,053,926). Claims 10-12 were rejected under 35 U.S.C. §103(a) over HIGUCHI in view of NAKASHIMA in view of TAKAHASHI and in view of MATSURA, and further in view of ADAIR et al. (U.S. Patent Application Publication No. 2006/0022234). Claim 13 was rejected under 35 U.S.C. §103(a) over NAKASHIMA in view of HIGUCHI, and further in view of MATSURA.

Applicant traverses the rejections of claims 1-4 and 6-13 under 35 U.S.C. §103. Upon entry of the present amendment, claim 1 will have been amended to specify that the processor operates in accordance with the control information recited in this claim. Claim 13 already includes a feature similar to the amended feature of claim 1. Nevertheless, claim 13 will also have been amended to specify that the electronic endoscope is configured to capture an image of an object to be observed, and to generate a digital video signal including a region included in the horizontal blanking interval. Claim 13 will also have been amended to recite that the electronic endoscope outputs the

control information of the processor to be superimposed on the digital video signal in response to an operation of the at least one operable member.

With respect to the rejection of claim 1, the Final Office Action acknowledges at paragraph 7 on page 5 that HIGUCHI as modified by NAKASHIMA fails to disclose “including the information intrinsic to the electronic endoscope and the control information for the processor”, as well as “wherein the digitized information outputting system outputs the control information for the processor to be superimposed on the digital video signal in response to an operation of the at least one operable member”. However, in paragraph 8 at pages 5-6, the Final Office Action asserts that TAKAHASHI discloses such features.

In paragraph [0025], TAKAHASHI discloses that endoscope information may be superimposed on an image captured by an imaging device. The endoscope information in paragraph [0025] of TAKAHASHI is information intrinsic to an electronic endoscope. However, the endoscope information in TAKAHASHI is not control information for a processor as recited in claim 1. Rather, according to TAKAHASHI, the CRT controller 206 controls the processor to superimpose text information on the image displayed on the monitor 300. Specifically, the CRT controller 206 generates video signals representing text information, the patient information and so on, requested by the CPU 201 and outputs the video signals to the monitor 300 in synchronization with the video signal from the second signal processor 205 (see also paragraph [0025] of TAKAHASHI). The CRT controller 206 superimposes video signals representing the text information on the original video signals to be displayed on the monitor 300. In other words, TAKAHASHI merely teaches overlapping of a text video signal with a captured video signal. However,

TAKAHASHI fails to disclose superimposing control information on a video signal in the manner recited in claim 1 because the endoscope information in TAKAHASHI is not control information as in claim 1.

As set forth above, the reliance on TAKAHASHI in the Final Office Action is misplaced. Nevertheless, Applicants have amended claim 1 as noted above, to specify that the processor operates in accordance with the control information, and it is this control information which is superimposed on the video signal in claim 1. Thus, Applicants have clarified what the control information is in claim 1, so that it will be even more clearly evident that the documents applied in the Final Office Action do not disclose such a feature in the claimed combination. As noted above, claim 13 already includes a feature similar to this feature of claim 1, and this feature of claim 13 is also not disclosed in the claimed combination by the documents applied in the Final Office Action.

That is, as noted in Applicants' previous Response, none of HIGUCHI, NAKASHIMA, WADA or ADAIR disclose that control information for a processor is superimposed on a digital video signal in a region included in a horizontal blanking interval. TAKAHASHI also does not disclose such a feature.

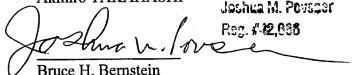
Accordingly, independent claims 1 and 13 are allowable over the documents applied in the Final Office Action. Dependent claims 2-4 and 6-12 are allowable over these documents at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations. Therefore, reconsideration and withdrawal of each of the outstanding rejections is respectfully requested.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Akihiro TAKAHASHI

Joshua M. Powner  
Reg. # 12,000

  
Bruce H. Bernstein  
Reg. No. 29,027

July 15, 2009  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191